

AMENDMENT UNDER 37 CFR § 1.116
Serial No. 09/552,593

REMARKS

At box 11 of the Advisory Action, the Examiner argues that Applicant's request for reconsideration does not place the Application into condition for allowance, because "the utilization of a designated, or "selected" adjacent processor in Parruck equates to a 'selected adjacent channel processor' as broadly recited in Applicant's claims. Accordingly, Applicant's argument is not persuasive".

With respect, the Examiner does not appear to have considered all of Applicant's arguments presented in the Response filed April 28, 2005. In particular, in that response, Applicant argued two points of distinction between the teaching of Parruck and the present invention, namely:

- Parruck et al. does not teach or suggest any equivalent to the claimed "interface adapted to receive a master strobe signal from a selected adjacent channel processor"; and
- Parruck et al. does not teach or suggest any equivalent to the claimed "output timer adapted to control a position of a read pointer for reading the buffered first data stream based on a selected one of the local and master strobe signals"

The Examiner's arguments in the Advisory Action are addressed to only the first of these points. Since these points are entirely independent, even if the Examiner's equation of Parruck's terminating apparatus cascade with Applicant's "selected adjacent channel processor" is valid (which Applicant does not accept), the second point of distinction remains:

In particular, in the Final Action mailed February 16, 2005, the Examiner equates block 18 of FIG. 1d (the contents of which is illustrated in FIG. 2.) to the output timer of the present invention; the local strobe signal of the present invention is equated to Parruck's J1 pulse generated by the demultiplexer 40 of FIG. 2; and the master strobe of the present invention is equated to Parruck's B3 parity value and control signal received from the adjacent apparatus 10. Based on this reading of Parruck et al., the Examiner argued that Parruck et al.

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teach an output timer adapted to control a position of a read pointer for outgoing bits of the respective first data stream based on a selected one of the local and master strobe signals.

However, Parruck et al. explicitly teach that read pointer movements (increment or decrement) are controlled by the decision block 52, based on depth measurement (i.e. the FIFO fill) and frame count, as is clearly shown in FIG. 2 (see blocks 48, 50 and 52), the flow chart of FIG. 3, and the accompanying description at col. 9, lines 24-49. It will be seen that Parruck et al. does not use any of the J1 pulse, B3 parity value, or control signal received from the adjacent apparatus 10 to control the read pointer position.

As such, even if the Examiner's equation of Parruck's J1 pulse, B3 parity value and control signal to the local and master strobe signals of the present invention are valid (which Applicant does not accept), the Examiner has still failed to show how this reads onto the output timer of the claimed invention.

By teaching pointer adjustment based on depth measurement and frame count, Parruck et al. explicitly teach away from the claimed feature of "an output timer adapted to control a position of a read pointer for reading the buffered first data stream based on a selected one of the local and master strobe signals" as required by claims 1, 19 and 39. United States Patent No. 6,118,795 (Fukunaga et al.) fails to supply the missing teaching.

In particular, Fukunaga et al. teach a system for receiving and pointer processing signals in an SDH transmission system. According to Fukunaga et al., the system is capable of detecting a concatenation of received signals, and using this information to enable appropriate pointer processing of the signal. However, Fukunaga et al. is entirely silent with respect to signals on multiple parallel channels, and does not attempt to align signals within adjacent parallel channels. More specifically, Fukunaga et al. does not teach or suggest "an interface adapted to receive a master strobe signal from a selected adjacent channel processor; and an output timer adapted to control a position of a read pointer for reading the buffered first data stream based on a selected one of the local and master strobe signals" as required by claims 1, 19 and 39.

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With reference to claim 52, Applicant notes that the Examiner has not attempted to apply the teachings or either reference to the claimed feature of "aligning each of the data streams at a downstream end of each hop toward the destination node". Furthermore, Applicant is not aware of any teaching of the known prior art that reads onto this feature. As such, Applicant respectfully submits that this feature presents further grounds of patentability of claim 52.

In light of the foregoing, it is respectfully submitted that the presently claimed invention is clearly distinguishable over the teachings of the cited references, taken alone or in any combination. Thus, it is believed that the present application is in condition for allowance, and early action in that respect is courteously solicited.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,



By: Kent Daniels, P.Eng.
Reg. No. 44206
Attorney for the Applicants

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Ogilvy Renault LLP
Suite 1600
1981 McGill College Avenue
Montreal, Quebec
Canada, H3A 2Y3
(613) 780-8673